



PATENT APPLICATION
Docket No: MLI-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Michael Ries, et al.)
)
Serial No.:	10/763,314) Art Unit
) 3738
Confirmation No.:	6544)
)
Filed:	01/22/2004)
)
For:	FEMORAL HIP PROSTHESIS AND METHOD)
	OF IMPLANTATION)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
Washington, DC 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed form equivalent to PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. § 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned associate believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.97 and 1.98, a copy of each of the listed non-U.S. patent references or a relevant portion thereof is also enclosed.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 CFR § 1.98(a)(3)

In accordance with 37 CFR § 1.98(a)(3), the following concise explanation of the relevance of each listed reference that is not in the English language and unaccompanied by a translation into English is provided.

1) European Patent Application No. EP 0 065 481 B1

An artificial hip-joint having a hollow shank (1, 10, 30) which has local weakening of the material as a result of round opening in the form of holes constructed round with diameters in the range from 5 to 8 mm. Holes are arranged and formed in such a manner that the hollow shank is adapted, with regard to its longitudinal rigidity and/or bending resistance, to the longitudinal rigidity or bending resistance of the surrounding bone region, and that otherwise the shank has a substantially constant material thickness in the range from 1 to 3 mm. An artificial hip-joint characterized in that the spherical part of the joint, which preferably consist of ceramic is removable. The characterized projection is formed on the free end of the neck of the spherical part, that the end of the shank adjacent to the neck likewise comprises a projection, and that the two projections are encircled by a removable retaining ring consisting of two halves.

2) European Patent Application No. EP 0 159 510 A2

A hip joint endo- prosthesis with the femoral part, which exhibits one from a metal craving formed shank and a ball joint, Whereby the ball joint cooperates with the natural or a Prosthetic hip cup, likewise, consisting of a metal craving whereby the shank in that exhibits lateral and medial plane even has the same broad in the anterior and posterior sides, even in weekly conical downward approaches.

3) European Patent Application No. EP 0 159 510 B1

A hip joint endo-prosthesis with a femoral member comprising a shaft formed of a metal alloy and a joint head, the joint head cooperating with the natural or a prosthetic hip cup also formed of a metal also formed of a metal alloy, the shaft in the lateral medial plane thereof has at least in the middle area thereof the same width, the cross section of the shaft being approximately square and burls being formed at the posterior and anterior sides of the shaft, characterized in that the shaft comprises rounded longitudinal edges and extends slightly conical in the anterior-posterior plane towards the distal end, that grooves are positioned parallel with the axis in close distance side-by-side at that lateral or medial side respectively, of the shaft.

Dated this *(day)* day of *(Month and Year)*.

Respectfully submitted,



DANIEL F. JUSTIN

Patent Agent

Registration No. 50144

MEDICINELODGE, INC.

180 So. 600 West

Logan, Utah 84321

Telephone: (435) 753-7675